

SN: 09/916,612

AU: 2875

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REMARKS

Applicant respectfully requests reconsideration of the application and entry of the foregoing amendment under 37 C.F.R. 1.115. Claims 1, 3-10 and 12 remain in the case. This amendment cancels claims 2 and 11.

REGARDING THE DECLARATION

The file of the undersigned shows that the first named inventor, Patel, signed a declaration for this application on June 27, 2001 and that the original declaration was filed with the application. The other three inventors, Assendrup, Gitelman and Sammon signed another declaration form that also listed Patel as inventor on July 31, 2001. Copies of both declarations are included herewith. Therefore, it is believed that there is no defect regarding the declaration.

REGARDING THE SPECIFICATION

Applicants have studied 37 C.F.R. 1.77(b) and find no reference to a requirement that an application for a patent present an explanation of existing problems with current devices related to the invention, in this case ring laser gyroscopes. However, it is well-known in the art that, as stated at page 4, lines 16-17 of the specification, the gain of a ring laser gyroscope is directly related to its discharge length. It is also well-known that there are significant advantages in having the gain be as large as possible. These advantages include improved yield in the manufacturing process and decreased random walk. The present invention provides an increased discharge path length, which increases the gain.

Applicants cannot find any requirement in 37 C.F.R. for a description of the prior art being included in the Background of the Invention. Applicants complied with the duty of candor by filing an Information Disclosure Statement.

The Examiner is respectfully requested to refer to the specification at paragraph 15 for a description of what reference numerals 36 and 38 refer to.

REGARDING THE DRAWINGS

A proposed FIG. 4 is included herewith in response to the objection to the drawings. The proposed drawing shows the getter well adjacent the metallization layer and shows the getter inside the getter well.

REGARDING THE CLAIMS

Claim 5 has been amended as suggested by the Examiner to overcome the objection thereto for lack of clarity. Claim 11 has been canceled so that the objections to these two claims have been overcome.

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All of the pending claims were rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (U.S. Patent No. 6,422,821) in view of Rabusin (U.S. Patent No. 4,990,828).

Claim 1 has been amended to include the subject matter of claim 2, which has been canceled. Claim 1 has also been amended to recite that the getter well is sealed to the metallization layer. The prior art is not seen to disclose or suggest a getter well sealed to a metallization layer formed on a frame with a getter and an electrode inside the getter well.

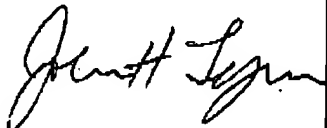
Claims 3 and 4 depend from claim 1 so that remarks regarding claim 1 apply also to these claims.

Claims 7-10 are similar in scope to claim 1 so that remarks regarding claim 1 apply also to these claims.

Claim 5 depends from claim 4 and further provides a spring retained in the electrode bore and arranged to support the getter. Claims 6 and 12 also include a spring as recited in claim 5. The prior art is not seen to disclose or suggesting the subject matter of claims 5, 6 and 12.

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. Therefore, applicants respectfully request a notice of allowance for the pending claims.

Respectfully submitted,

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